GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department – Land acquisition for house sites – Guntur District – Ravipadu village of Pedanandipadu mandal - Land acquired to an ext of Ac.2.87 cts in Sy.No.17/2, 4 and 5 for provision of house sites to the weaker sections – Sanction of Rs. 2,46,235/- towards payment of decretal charges in O.P No.80/96 –Orders – Issued.

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SOCIAL WELFARE (BUD&LA) DEPARTMENT

G.O.RT.No. 402 Dated: 20-09-2017

Read the following:-

1. From the Dist Collector, Guntur Lr.No.2217/2016-G1, dt 17.11.2016 and 10.5.2017.
2. From the DSW, A.P., Lr.No.G2/2924/216, dt 25.12.2016.
3. From the Spl CS&CCLA, A.P., Lr.No.LA.1(1)/17/2017, dt. 06.6.2017.

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ORDER:

As reported by the DSW, A.P.,/Dist Collector, Guntur, the Spl CS&CCLA, A.P., has stated that the LAO/RDO, Guntur has acquired land to an ext of Ac.2.87 cts in Sy.No.17/2,4 and 5 in Ravipadu village Pedanandipadu mandal of Guntur Dist vide Award No.9/94-95, dt 21.12.1994 by fixing an amount of Rs.35,030 per acre along with other statutory benefits. The awardees have received the compensation under protest and requested the LAO to refer the matter to the Civil Court U/s 18 of the LA Act. On reference, the Sr. Civil Judge, Bapatla has enhanced the compensation from Rs.35,030/- per acre to RS.79,536/- per acre along with other statutory benefits in Op NO.80/96, dated 31.7.2000. an Appeal was filed by the Govt against the orders issued by the Sr. Civil Judge, Bapatla in LAOP No.80/96. The Hn'ble High Court iin CMP No.279/2004 in S No.854/2004 dated 27.01.2004 has ordered to pay the 1/3rd of the enhanced compensation amount in the reference court within ten weeks. Accordingly an amount of Rs.1,16,643/- was deposited in the Court of Sr. Civil Judge, Bapatla. Further the Hon'ble High Court in AS No.854/2004 dated 24.09.2014 has ordered that the impugned order passed by the reference court is set aside and the respondents are entitled to compensation of Rs.72,600/- per acre for the land in question and respondents are entitled to all statutory benefits. So far as interest on solatium is concerned, they are entitled to the same only from 19.09.2001 onwards, on which dated the judgement of Sunder Vs Union of India was pronounced. The Dist Collector, Guntur has filed EP No.152/2000 in LAOP No.80/96 before the Court of Sr. Civil Judge, Bapatla for realization of decretal charges and the case is posted to the month of June 2016. The Dist Collector, Guntur has submitted proposal for sanction of Rs.2,73,106/- decretal charges in LAOP No.80/96 for the land acquired to an ext of Ac.2.87 cts in Sy.No.17/2,4 and 5 in Ravipadu village Pedanandipadu mandal of Guntur Dist for provision of house sites to the weaker sections.

2. The Spl CS&CCLA, A.P., has further stated that the proposal of the Dist Collector, Guntur have been verified and found that the interest @9% and 15% has to be calculated on the balance Market Value + Balance Solatium as nothing has been paid as interest at the time of award. Whereas the Dist Collector, Guntur has calculated the interest @ 9% and 15% on the market value + solatium. In this regard the Dist Collector, Guntur was requested to re-verify the calculation sheet and to furnish the revised calculation sheet duly rectifying the said discrepancy. Thereafter the Dist Collector, Guntur vide his Lr dt 10.05.217 has submitted proposal for an amount of Rs.2,46,251/- decretal charges in LAOP No.80/96 for the land acquired to an ext of Ac.2.87 cts in Sy.No.17/2,4 and 5 in Ravipadu village Pedanandipadu mandal of Guntur Dist for provision of house sites to the weaker sections.

3. After re-verification and scrutiny of the proposal submitted by the District

(P.T.O)

Collector, Guntur, the Spl CS&CCLA, A.P., has sent comparative calculation sheet for an amount of Rs.2,46,235/- towards payment of decretal charges in O.P No.80/96 for the land acquired to an ext of Ac.2.87 cts in Sy.No.17/2,4 and 5 in Ravipadu village Pedanandipadu mandal of Guntur Dist for provision of house sites to the weaker sections.

4. Government, after careful examination of the above proposal, hereby accord permission to the Director of Social Welfare, A.P., Amaravati for release an amount of Rs. 2,46,235/- (Rupees two lakhs forty six thousand two hundred and thirty five only) towards payment of decretal charges in O.P.No.80/96 for the land acquired to an ext of Ac.2.87 cts in Sy.No.17/2, 4 and 5 at Ravipadu village, Pedanandipadu mandal of Guntur Dist for provision of house sites to the weaker sections.

5. The expenditure sanctioned in para (4) above shall be met from the BEs 2017-18 and debited to the following Head of Account:

"**2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward classes – 01- Welfare of Scheduled Castes – M.H.283- Housing – G.H.11 – Normal State Plan – SH(08) Acquisition of House sites to weaker sections in Indiramma programme – 310/312 – Other grant –in-Aid.**

6. The Director of Social Welfare, A.P., Amaravati is directed to issue necessary proceedings to the District Collector, Guntur to comply with the court orders in O.P.No.80/96.

7. The District Collector, Guntur shall verify the calculation sheet submitted by the land Acquisition officer once again, before issue of the proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition officer shall be held solely responsible.

8. These orders issues with the concurrence of Finance (FMU-Welfare-I) Department, vide their U.O.No. 39027/115/FMU-WELFARE.I/2017, Dt.07.09.2017

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Spl CS & Chief Commissioner of Land Administration, A.P., Vijayawada
The Director of Social Welfare, A.P, Amaravati
The District Collector, Guntur
Copy to:
The Director of Treasury & Accounts, A.P., Vijayawada
The Accountant General, A.P., Hyderabad
The Deputy Director of Treasury & Accounts, Guntur
Finance (FMU-WELFARE -I) Department
SF/SC.

// FORWARDED::BY::ORDER//

SECTION OFFICER